

REMARKS

Claims 1, 3 – 12, 14 – 22 and 24 – 31 were pending in the above-identified patent application when last examined. Claims 1, 3 – 12, 14 – 22 and 24 – 31 were rejected. Applicant is amending claims 1, 11, 12, and 22.

Rejections Under 35 U.S.C. §103

In sections 1 and 2 of the Office Action, the Examiner rejected claims 1, 3, 5 – 8, 10 – 12, 14, 16 – 19, and 21 under 35 U.S.C. §103(a) as being anticipated by U.S. Patent No. 6,038,438 to Beeson (hereinafter *Beeson*) in view of U.S. Patent No. 6,765,484 to Eagleson et al. (hereinafter *Eagleson*).

Applicant submits that claim 1, as amended, is patentable over *Beeson* and *Eagleson* by at least reciting:

A method to be performed in a wireless phone, comprising:
receiving, from a source, a first message having a first beacon activation
command;
activating a beacon per the command; and
embedding location information of the wireless phone into the beacon;
wherein the location information is determined by using a satellite
positioning system.

Applicant is amending claim 1 to clarify that the location information is determined by using a satellite positioning system, such as GPS or GLONASS (see the second paragraph of page 6 of the specification as filed). As discussed with the Examiner on April 4, 2005, neither of the references teaches using a satellite positioning system to determine the location of a wireless phone.

Therefore, Applicant submits that claim 1 is patentable over the cited art. As claims 11, 12, and 22 recite similar limitations, they should also be patentable for at least the same reasons. Further, all remaining claims are patentable at least by virtue of their dependency to patentable independent claims.

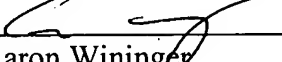
In sections 3 – 8 of the Office Action, the Examiner rejected the remaining claims under 35 U.S.C. §103 in view of the above references and further in view of other references. As

mentioned above, these claims are patentable over the cited references at least by virtue of their dependency.

Applicant respectfully requests withdrawal of all rejections and that a timely Notice of Allowance be issued in this case.

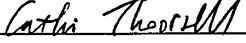
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CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

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